

October 9, 2019

VIA ECFS AND FIRST-CLASS MAIL
Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

ATTN: Wireline Competition Bureau

RE: Docket No. WC 17-310; Midcontinent Communications Amended Request for Approval of Rural Rate Pursuant to 47 C.F.R. §54.607

Dear Ms. Dortch:

Pursuant to Section 54.607(b) of the Commission's rules, 47 C.F.R. §54.607(b), Midcontinent Communications ("Midcontinent") hereby submits this amended request for approval of the rural rate that it proposes for the provision of an interstate service to a rural healthcare facility. In accordance with the rule, Midcontinent is providing cost support for its proposed rural rate in Attachment A, because Midcontinent does not provide any identical or similar services to commercial customers in the same rural area in which the health care provider is located, and Midcontinent was unable to identify any tariffed or other publicly available rates charged for the same or similar services by other carriers in that rural area.

This filing includes confidential information. As contemplated by the Commission's rules, we are filing the public version electronically and the confidential version via first-class mail. Midcontinent respectfully request that, pursuant to Sections 0.457 and 0.459 of the Commission's rules, 47 C.F.R. §§ 0.457 and 0.459, the Commission withhold from public inspection and grant confidential treatment to Attachment A, a document that contains sensitive trade secrets and commercial information that falls within Exception 4 of the Freedom of Information Act ("FOIA").¹ Midcontinent is voluntarily providing information that would customarily not be released to the public and is therefore considered "confidential" under FOIA.

Moreover, Midcontinent would suffer substantial competitive harm if this information were disclosed. Consequently, Attachment A is marked with the header "SUBJECT TO REQUEST FOR CONFIDENTIAL TREATMENT – NOT FOR PUBLIC INSPECTION."

In support of this request and pursuant to Section 0.459(b) of the Commission's rules, 47 C.F.R. § 0.459 (b), Midcontinent hereby states as follows:

¹ 5 U.S.C. §552(b)(4).

1. IDENTIFICATION OF THE SPECIFIC INFORMATION FOR WHICH CONFIDENTIAL TREATMENT IS SOUGHT.

Midcontinent seeks confidential treatment of Attachment A to this letter.

2. IDENTIFICATION OF THE COMMISSION PROCEEDING IN WHICH THE INFORMATION WAS SUBMITTED OR A DESCRIPTION OF CIRCUMSTANCES GIVING RISE TO THE SUBMISSION.

This information is being submitted in Docket No. WC 17-310. Midcontinent is providing cost support for its proposed rural rate pursuant to Section 54.607(b) of the Commission's rules, 47 C.F.R. §54.607(b), because it does not provide any identical or similar services to commercial customers in the same rural area in which the health care provider is located, and Midcontinent was unable to identify any tariffed or other publicly available rates charged for the same or similar services by other carriers in that rural area.

3. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION IS COMMERCIAL OR FINANCIAL, OR CONTAINS A TRADE SECRET OR IS PRIVILEGED.

The information for which Midcontinent seeks confidential treatment contains sensitive commercial information which is customarily guarded from competitors. Attachment A includes cost information of a very specific nature which supports the proposed rate for a circuit that will be serving a rural health care facility. Attachment A also includes the specific location of the proposed facility. Public disclosure of this information would compromise Midcontinent's position in this competitive industry and would therefore result in substantial competitive harm to Midcontinent.

4. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION CONCERNS A SERVICE THAT IS SUBJECT TO COMPETITION.

The information contained in Attachment A for which Midcontinent requests confidentiality relates to a high-speed broadband service for a rural healthcare provider that is subject to competitive bidding.

5. EXPLANATION OF HOW DISCLOSURE OF THE INFORMATION COULD RESULT IN SUBSTANTIAL COMPETITIVE HARM.

Public release of this information could significantly damage Midcontinent's competitive position, by telegraphing the location and customer that Midcontinent is proposing to serve and providing cost and rate details, which competitors could use as a basis for their competitive bidding strategies.

6. IDENTIFICATION OF ANY MEASURES TAKEN BY THE SUBMITTING PARTY TO PREVENT UNAUTHORIZED DISCLOSURE.

Midcontinent has not released the information contained in Attachment A to the public.

7. IDENTIFICATION OF WHETHER THE INFORMATION IS AVAILABLE TO THE PUBLIC AND THE EXTENT OF ANY PREVIOUS DISCLOSURE OF THE INFORMATION TO THIRD PARTIES.

The information contained in Attachment A is not available to the public and Midcontinent has not previously disclosed the information to any third parties, other than its consultant, Inteserra Consulting Group, Inc., for purposes of preparing this filing.

8. JUSTIFICATION OF THE PERIOD DURING WHICH THE SUBMITTING PARTY ASSERTS THAT MATERIAL SHOULD NOT BE AVAILABLE FOR PUBLIC DISCLOSURE.

Midcontinent requests that the material in Attachment A be treated as confidential for a period of ten years, due to the highly proprietary nature of the information.

9. OTHER INFORMATION THAT MIDCONTINENT BELIEVES MAY BE USEFUL IN ASSESSING WHETHER ITS REQUEST FOR CONFIDENTIALITY SHOULD BE GRANTED.

Midcontinent believes that the information provided in sections 1 – 8 above is sufficient to determine that its request for confidentiality should be granted.

Any questions you have regarding this filing should be directed to my attention at (407) 740-3031 or sthomas@inteserra.com. Thank you for your assistance in this matter.

Sincerely,

/s/ Sharon Thomas

Sharon Thomas
Consultant to Midcontinent Communications
Inteserra Consulting Group, Inc.

cc: K. Putnam – Midcontinent

Enclosure

Attachment A
Cost Support

PUBLIC VERSION

As contemplated by Sections 0.457 and 0.459 of the Commission's rules, 47 C.F.R. §§ 0.457 and 0.459, cost support for proposed rural rate is being filed separate and marked as Confidential.

Attachment A
SUBJECT TO REQUEST FOR CONFIDENTIAL TREATMENT – NOT FOR PUBLIC INSPECTION

Midcontinent Communications

Cost Support for Rural Rate to Serve Roundup Memorial Hospital in Roundup, MT

Facility:	Fiber Ethernet Virtual Circuit - 10 Mbps (upload and download)
Monthly Recurring Rate	[REDACTED]
Direct Cost (Purchased Circuit from 3rd Party)	[REDACTED]
Gross Margin	[REDACTED]
Allocated Indirect Cost (see attached detail)	[REDACTED]
Gross Profit	[REDACTED]
Gross Profit Margin	[REDACTED]

[illegible]